

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

SECURITIES AND EXCHANGE COMMISSION, :

Plaintiff, :

v. :

AMIT MATHUR, :
and ENTRUST CAPITAL MANAGEMENT, INC. :

Defendants, :

and :

AMR REALTY, LLC :

Relief Defendant. :

CIVIL ACTION
NO. 05-CV-10729 MLW

Plaintiff's Consented to Motion to Continue the Scheduling Conference

Counsel for Plaintiff Securities and Exchange Commission ("SEC") moves the Court to continue the Scheduling Conference, set for September 8, 2005, to September 22, 2005, or any date as soon as possible thereafter as is convenient for the Court. As reasons therefore, counsel for the SEC states as follows:

1. Counsel for the SEC intends to file an Amended Complaint in this matter that, among other things, names a new defendant Rajeev Johar, Defendant Mathur's business partner at Entrust Capital Management, Inc. ("Entrust"). The investigation necessary to gather the facts related to this amendment took longer than anticipated due to a number of factors beyond the control of counsel. Counsel for the SEC had intended to file the Amended Complaint last week in anticipation of the September 8th scheduling conference, but was held over in Miami on trial until September 2nd due to the court being closed during Hurricane Katrina.

2. Counsel for the SEC is in negotiations with Mr. Johar's attorney related to potential preliminary relief in conjunction with the filing of the Amended Complaint.

3. Moving the Scheduling Conference to September 22nd will allow counsel for the SEC time to file the Amended Complaint, resolve issues related to preliminary relief as to Mr. Johar and then work with all of the parties involved to prepare a revised discovery plan for submission to the Court prior to the Scheduling Conference, which will be attended by all parties, including Mr. Johar.

4. Counsel for the SEC has conferred with counsel for Defendants in this matter and they consent to the SEC's requested relief and will consent to the filing of the Amended Complaint. September 22nd is the next day that does not provide a conflict for all counsel.

Conclusion

For the forgoing reasons, counsel for the Plaintiff SEC respectfully requests that the Court to continue the Scheduling Conference set for September 8, 2005, to September 22, 2005, or any date as soon as possible thereafter as is convenient for the Court.

Respectfully submitted,

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